

PATENT

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AUG 29 2006

In Re Application)
 No. 09/974,935)
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 Levin et al.)
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 Examiner: Kevin Kim)
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)
 Filed: October 10, 2001) Group No. 2611

DECLARATION UNDER 37 CFR §1.132

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Commissioner:

I, Kenneth K. Vu, do hereby declare that:

1. I am Kenneth K. Vu.
2. Any invention disclosed in U.S. Patent No. 6,680,727 to Butler et al. disclosed but not claimed therein was derived by the inventor of this application and is thus not the invention "by another."

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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Depositor's Name: Cris E. Johnson
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Date: 08/29/2006

Signature: Cris E. Johnson

Attorney Docket No.: 010364
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I further declare under penalty of perjury pursuant to the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed by me on August 29, 2006 at San Diego, California.

Respectfully submitted,

Dated: 08/29/2006

By:


Kenneth K. Vu, Reg. No. 46,323
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